

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In re: NORTH PLAZA, LLC.

Debtor

CASE NO. 08-CV-1194 W (CAB)
BANKRUPTCY NO. 04-00769-PB11

DYNAMIC FINANCE CORPORATION et. al.,

Appellants,
vs.

ORDER ESTABLISHING BRIEFING SCHEDULE ON APPEAL

CHAPTER 11 TRUSTEE RICHARD KIPPERMAN.

Appellee.

On July 7, 2008 Appellee Richard Kipperman (“Appellee”), Chapter 11 Bankruptcy Trustee of the North Plaza, LLC bankruptcy estate, elected to have Appellant Dynamic Finance Corporation et. al.’s (“Appellant”) appeal heard by this District Court pursuant to 28 U.S.C. § 158(c)(1)(B). (Doc. No. 1.) Appellant appeals United States Bankruptcy Judge Peter W. Bowie’s May 30, 2008 Order compelling production of documents that Appellants argue are protected by attorney-client privilege.

On July 11, 2007, after unsuccessfully petitioning the Bankruptcy Court, Appellants moved this Court for an order staying Judge Bowie's May 30, 2008 Order

1 until the appeal is exhausted. (Doc. No. 3.) That motion is currently pending and the
2 parties and Court have settled on an expedited briefing schedule. Additionally, both
3 parties have reasonably agreed to stay Judge Bowie's Order until July 25, 2008, and the
4 Court anticipates deciding Appellants' motion to stay by that time. Unless otherwise
5 notified, the Court takes the matter under submission and without oral argument. See
6 S.D. Cal. Civ. R. 7.1(d)(1).

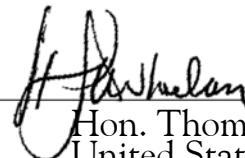
7 In order to prevent further disruption to the bankruptcy proceedings, however,
8 the Court chooses to hear the merits of the appeal on an expedited briefing schedule.
9 Specifically, Appellants shall file and serve their opening brief by August 4, 2008.
10 Appellees shall file and serve any reply by August 18, 2008. Unless otherwise
11 notified, the Court takes the matter under submission and without oral argument. See
12 S.D. Cal. Civ. R. 7.1(d)(1).

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14 **IT IS SO ORDERED.**

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16 DATED: July 14, 2008

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Hon. Thomas J. Whelan
United States District Judge

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